



Clean Energy Future Committee

Date: Friday September 24, 2021

Time: 8:15 a.m.

Location: Conducted via remote participation (Zoom)

To register for the Zoom Meeting:

<https://us02web.zoom.us/join/zoom-2qqt0phtkko8oaVuFY00Hl6leKFRk4>

After registering, you will receive a confirmation email containing information about joining the meeting.

Members of the public are asked to send written comment to: kpruitt@town.arlington.ma.us.

Notice to the Public on meeting privacy

In the interests of preventing abuse of videoconferencing technology (e.g. "Zoom Bombing") all participants, including members of the public, wishing to participate via Zoom must register for each meeting and will notice multi-step authentication protocols. Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone at 929-436-2866 Meeting ID: 870 4427 6346.

Documents related to the below agenda items follow as attachments to this document.

Agenda

8:15 – 8:20: Review & Approve Minutes from 7/23/2021 meeting

8:20 – 8:30: Energy Manager transition

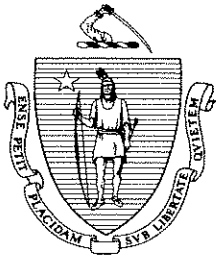
8:30 – 8:50: Potential warrant articles for spring 2022 Town Meeting

8:50 – 9:15: Update on NZAP implementation from working group chairs

Next meeting: October 22

Attachments:

- 1) Governor Charles Baker's 3/12/2020 Executive Order Suspending Certain Provisions of the Open Meeting Law
- 2) Draft minutes from 7/23/2021 meeting



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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

WHEREAS, many important functions of State and Local Government are executed by "public bodies," as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

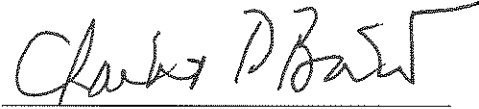
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in dark ink, appearing to read "Charles D. Baker". The signature is written in a cursive style with a horizontal line underneath.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts



Clean Energy Future Committee Meeting Minutes

Draft – for approval at the 09-24-2021 meeting

July 23, 2021

8:15 – 9:30 a.m.

Virtual Meeting – Hosted on Zoom

Members present: Coralie Cooper (Chair), Ken Pruitt, Emily Sullivan, Shelly Dein, Ryan Katofsky, Diane Mahon, Pasi Miettinen, Adam Chapdelaine, Jim DiTullio (by phone)

Members not present: Nellie Aikenhead, Dan Amstutz, Dave Levy, Marc Breslow.

Ms. Cooper convened the meeting at 8:20 am by taking a roll call for those in person and on the phone.

Video Meeting Procedures

Ms. Cooper explained that emergency rules for the Open Meeting Law still allow public meetings to take place remotely, due to concerns about COVID-19, which suspended the usual Open Meeting Law requirement that a quorum of committee members be physically present in order to hold an official committee meeting. The Committee is meeting today under those rules. Jim DiTullio noted that the Governor's original Executive Order had been superseded by recent legislation extending the ability for public meetings to be virtual until April 2022.

Meeting Minutes

The Committee reviewed Meeting Minutes from the June 25, 2021 meeting. Ms. Cooper asked for comments. Mr. Pruitt noted that Mr. Amstutz had submitted a set of suggested edits to him before the meeting. Mr. Pruitt reviewed his edits with the Committee, noting that no changes were substantive. Ms. Cooper asked for any other changes. Ms. Mahon motioned to approve the Minutes as amended by Mr. Amstutz's suggestions. Mr. Katofsky seconded the motion. The Committee unanimously approved the June 25 Meeting Minutes with Mr. Chapdelaine abstaining because he did not attend that meeting.

Agenda Item 1: Update on Net Zero Action Plan implementation from working group chairs

Mr. Pruitt provided updates on all the measures he is working on. The first update was on his work evaluating commercial Property Assessed Clean Energy (C-PACE), as

called for in the Net Zero Action Plan. He said we are in early stages of review. C-PACE is a funding mechanism whereby commercial property owners can obtain loans for energy efficiency improvements at their properties, and pay the loans back via an extra charge on their property tax bills. Ms. Dein noted that Quincy is also looking at C-PACE. She asked Mr. Chapdelaine whether Arlington tax bills could be amended to accommodate the changes that would be required if we implemented C-PACE. Chapdelaine said he thought this was possible, but we would need to look into it with the Assessor and investigate what it would take to make necessary changes in the Town's online accounting system.

Mr. Pruitt mentioned that Connect Arlington, the Town's sustainable transportation plan, has been completed and was endorsed by the Select Board on July 19. The top mobility-related measure in the Net Zero Action Plan was to support full implementation of Connect Arlington. He said that Dan Amstutz had offered to present to the Committee about Connect Arlington at our September or October meeting, including ways the Committee could support its implementation.

Mr. Pruitt said he was also in the early stages of implementing Zero Emissions Mobility measure 4: Adopt a zero emission municipal fleet plan. He said he had spoken with Shelly Dein about Quincy's fleet evaluation, which is nearing completion, and had reviewed Concord's "electric-first" fleet policy. He will continue working on this measure.

Finally, Mr. Pruitt noted that he was looking forward to continuing work on Clean Energy Supply measure #1, which would increase the renewable energy percentage in the default Arlington Community Electricity program to 100% by 2030. The next step is for Mr. Pruitt to schedule a meeting with Adam Chapdelaine and Ryan Katofsky to discuss how best to implement this measure.

Ms. Cooper spoke about the Electrify Arlington campaign, which she is chairing. She updated the Committee on what the Electrify Arlington working group has been doing. The working group started by reviewing the original goals in the three measures that we're considering comprise Electrify Arlington (Net Zero Buildings measures 1 and 4, and Zero Emissions Mobility measure 3). The working group reaffirmed those priorities. It also discussed who we should target in this campaign, and decided to start with the 25-50% of homes that could most easily electrify and are not facing major barriers to electrification. The working group envisions a sustained and ongoing campaign including community-based marketing, electrification coaches, discounted equipment and more. The working group also agreed to look at other municipalities to see what they are doing in this space. The group is working to schedule a retreat to strategize the scope and timeline of Electrify Arlington, to be held in September or October. Mr. Miettinen pointed out that we want to make sure electrification is available to everyone in Arlington, but we are going to focus on those easiest to electrify, but only initially. Our goal is to include all buildings over time.

Amos Meeks is chair of the net zero stretch code working group. Mr. Meeks said the group is working to set up a meeting with state Senator Michael Barrett to get his advice about how best to advocate for a strong stretch code. The next step would be to attempt to meet with the Department of Energy Resources, which is drafting the stretch code.

The working group wants the draft code to be as strong as possible when released in September / the fall. The group would then pivot to advocating for improvements to the draft stretch code. Ms. Cooper asked whether the working group had specific recommendations for what the code should include. Mr. Meeks said the plan was to develop that list after meeting with Sen. Barrett, but one thing the group is worried about is that single family homes will be phased-in too slowly, for example, commercial buildings might be included initially with single family homes phased in only years later. Mr. Miettinen said he would be happy to help with this working group, as he has relevant knowledge.

Mr. Meeks also gave an update on Arlington's Home Rule Petition for authority to regulate fossil fuels in Arlington. That bill will be heard Tuesday by the legislature's Joint Committee on Municipalities and Regional Government. He said we are looking for volunteers to submit letters of support on this bill. Letters could be submitted anytime over the next couple of weeks. Ms. Dein offered also to submit a letter. Mr. Katofsky asked if it would be helpful for the Arlington High School Building Committee to submit a support letter. Mr. Chapdelaine said "it couldn't hurt."

Agenda Item 2: Potential warrant articles for spring 2022 Town Meeting

Ms. Cooper explained that we should now start thinking about any possible warrant articles for next April Town Meeting. She recommended we discuss it today, and then perhaps put a continuation of the matter on the September agenda. She said we have a limited number of Town Meetings between now and 2050, so a limited number of chances to pass Warrant Articles. Gene Benson has suggested, for example, that we could consider requiring consideration of Net Zero Action Plan (NZAP) measures when people apply for a Special Permit. So, if Environmental Design Review is required, consideration of NZAP measures could also be included. Marc Breslow has suggested that we focus on Warrant Articles that target the largest reductions in greenhouse gas emissions possible. Ms. Cooper said we have also considered a Warrant Article to implement the commercial solar requirement in the NZAP. Mr. Katofsky noted that the two Warrant Articles put forward by the Clean Energy Future Committee so far, restricting fossil fuels in new construction and authorizing the replacement of foundations on non-conforming lots, were both passed overwhelmingly, so he thinks we can be ambitious going forward. He also asked, if a state net zero stretch code is adopted by the Town, will we actually need our fossil fuel bylaw passed at the November 2020 Town Meeting?

Mr. Miettinen asked whether we could speak with Town Counsel Doug Heim about how far we can push our own local energy requirements, even though towns cannot have their own building codes. Mr. Chapdelaine responded that we can make certain changes locally, including to our Zoning Bylaw, so there is some room for action there. Ms. Cooper said that we also need to consider timing and sequencing of measures we work to implement. Knowing when the draft net zero stretch code will be released will be helpful. Ms. Dein said it would be helpful to know how many projects are built in Arlington annually that require special permits or variances. Mr. Chapdelaine said the Arlington Redevelopment Board's special permit jurisdiction only applies to Mass Ave, Broadway, and industrial districts. Most neighborhood construction is by right, no

special permit needed. Expansions or renovations sometimes need to go to the Zoning Board of Appeals for a special permit or variance. So, that's why we need a change to the state building code: so it will apply to all construction in town. Ms. Dein asked whether we should discuss potential net zero-related rules for construction with the Conservation Commission. Ms. Sullivan said probably not, since energy related measures are outside of the Commission's jurisdiction.

Mr. DiTullio said he thought the CEFC's default should be to bring something to Town Meeting every year (but "fully baked"). By way of comparison, the state legislature used to do significant energy bills once or twice per decade. Now it's every session. We have so many issues to tackle, and time is of essence, so our default should be to bring something to Town Meeting every year. But each warrant article must be thoroughly vetted. It is good that we are discussing Town Meeting now since we need a long lead time. We should get down to "brass tacks" in our September meeting so we can make rapid progress in the fall. Ms. Cooper said: let's put this on the September agenda. Ms. Dein said we might want to include a warrant article measure promoting (incentivizing or requiring) electric vehicle charging in multi-unit parking lots.

Mr. Katofsky moved to adjourn the meeting. Mr. Miettinen seconded. The Committee unanimously approved the motion to adjourn.

The Meeting ended at 9:17 am.

Submitted by Ken Pruitt.